UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/775,265	02/01/2001	Paul Clark Blalock	125090.00016	7230

26707 7590 12/06/2006		EXAMINER
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ART UNIT	PAPER NUMBER
3623	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/775,265	BLALOCK ET AL.
	Examiner	Art Unit	
	Scott L. Jarrett	3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>30 October 2006</u>.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>103-128</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>103-128</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   This **Final** Office Action is in response to Applicant's amendment filed October

30, 2006. Applicant's amendment canceled claims 1-102 and added new claims 103-

128. Currently claims 103-128 are pending.

Response to Amendment

2.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action.

Response to Arguments

3.   Applicant's arguments with respect to claims 103-128 have been considered but

are moot in view of the new ground(s) of rejection.

Claim Objections

4.   Claims 103-128 are objected to because of the following informalities.

Appropriate correction is required.

Regarding Claims 103-128, independent claims 103, 110, 119 and 122 recite

"requests for **proposal** (RFQ)" instead of the intended "**Request For Quote** (RFQ)."

Examiner interpreted the claims to read that the screens and related information is

related to requests for quotes/quotations (bids, tenders, offers, etc.) for the purposes of

examination.

Regarding Claims 103-128, independent claims 103, 110, 119 and 122 recite

"providing a seller storefront screen **for** taking actions" and/or "providing a carrier

storefront screen **for** taking action" (emphasis added), however buyers (shippers) do

not actually perform any of the action options provided on the screens (e.g. approve

sellers/carriers). For the purposes of examination examiner assumes the applicant will

amend the claims to recite that the buyers/shippers actually perform one or more of the

actions/options provided on the screens.

Regarding Claims 106, 115 and 125, system/method as claimed merely provides

the option for buyers (shippers) to accept sellers (carriers) bids; i.e. "shipper **can**

electronically accept or decline a carrier bid" (emphasis added), however the buyers do

not actually accept/reject seller bids. For the purposes of examination examiner

assumes the applicant will amend the claims to recite that buyers actually accept/reject

seller bids.

Claim Rejections - 35 USC § 101

5.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6.   Claims 103-128 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Regarding Claims 102-138, for a claimed invention to be statutory, the claimed invention must produce a useful, concrete, and tangible result.

In the present case, the computer program product merely represents a collection of screens containing a compilation of buyer/seller (shipper/carrier) request for quote (RFQ) information, while the compilation of data may have some have some real world value (i.e. utility/usefulness) there is no requisite functionality present to satisfy the practical application requirement nor are there any "acts" which transform the data and/or cause a physical transformation to occur outside the computer (i.e. not concrete or tangible) therefore the invention as claimed does not produce a useful, concrete, *and* tangible result.

Merely claiming nonfunctional descriptive material, **i.e.**, abstract ideas, stored in a computer-readable medium, in a computer, on an electromagnetic carrier signal does not make it statutory. See Diamond v. Diehr, 450 U.S. 175, 185-86, 209 USPQ 1, 7-8 (1981) (noting that the claims for an algorithm in Benson were unpatentable as abstract ideas because "[t]he sole practical application of the algorithm was in connection with the programming of a general purpose computer."). Such a result would exalt form over

substance. In re Sarkar, 588 F.2d 1330, 1333, 200 USPQ 132, 137 (CCPA 1978)

("[E]ach invention must be evaluated as claimed; yet semantogenic considerations

preclude a determination based solely on words appearing in the claims. In the final

analysis under 101, the claimed invention, as a whole, must be evaluated for what it is.")

(Abele, 684 F.2d 902, 907, 214 USPQ 682, 687(CCPA 1982)). See also In re Johnson,

589 F.2d 1070, 1077, 200 USPQ 199, 206 (CCPA 1978) ("form of the claim is often an

exercise in drafting"). Thus, nonstatutory music is not a computer component and it

does not become statutory by merely recording it on a compact disk. Protection for this

type of work is provided under copyright law.

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this.Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the.
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

8.   Claims 103-128 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Goldwerger et al., U.S. Patent Publication No. 2003/0216993 in view of Atkinson et al.,

U.S. Patent Publication No. 2001/0021923 and further in view of Caplice, Christopher,

An optimization based bidding process: A new framework for shipper-carrier

relationships (1996).

Regarding Claims 103, 110-112, 119 and 122 Goldwerger et al. teach a system

and method for conducting auction transactions for shipping services via a graphical

user interface having a plurality of screens (dialog boxes, web pages, windows, etc.:

Abstract; Paragraphs 0003, 0005-0007, 0010, 0077-0084; Figures 8A-12E) comprising:

- enabling buyers/sellers (shippers, carriers) to log-in and access auction

transactions with a valid authorization code (login, password; Paragraphs 0074, 0076,

0116; Figures 8a-8c, 9A);

- approving sellers (carriers) to bid on auctions comprising:

- providing a list of carriers having carrier identifiers (Paragraphs 0015,

0073; Figure 7);

- providing options that include: adding selected carriers to an approved

bidder list (supplier/carrier registration; Paragraph 0077; Figures 8a-8c, 9c-9e);

- inviting selected carriers to respond to posted request for

quote/quotation (RFQ, bid, offer, tender - to offer a product for sale at a specified

price, usually in response to a specific request from a potential purchaser, etc.)

and communicating with selected carriers (Paragraph 0077; Figures 9c-9e);

- displaying/presenting requests for quotes (auctions) comprising:

- displaying auction information including auction identifier, shipping

lanes, origin, destination, demand (forecast of need), matrix (table, list, catalog)

of rates for geographical zones (region, areas, routes, zip codes, etc.), bidding-

related temporal data and status (shipping requirements; Paragraphs 0007,

0010, 0047, 0058, 007, 0083, 0100, 0108; Figures 9h-9i, 10b) wherein status is

at least one of the following (selected from the group consisting of): private,

announced, active, complete (live, pending, in-progress, completed, etc.;

Paragraphs 0063, 0077; Figure 5; Figure 9m);

- displaying shipping lane (trade route, shipping route) information

including name, standard seller (carrier) alpha code, over the road (truck) and

intermodal information (Paragraph 0089, Figures 9n1-9n2);

- searching for quote/offer information and sorting shipping lane

information (Paragraphs 0060, 0101, 0102; Figure 10d);

- displaying seller (carrier) information including name, standard seller

alpha code, seller status wherein seller status is at least one of the following

(selected from the group consisting of) rejected, qualifying, approve and inactive; and

     - displaying award of bids of the shipping lanes (Paragraphs 0094, 0109, 0121; Figure 10g, 10j, 12e).
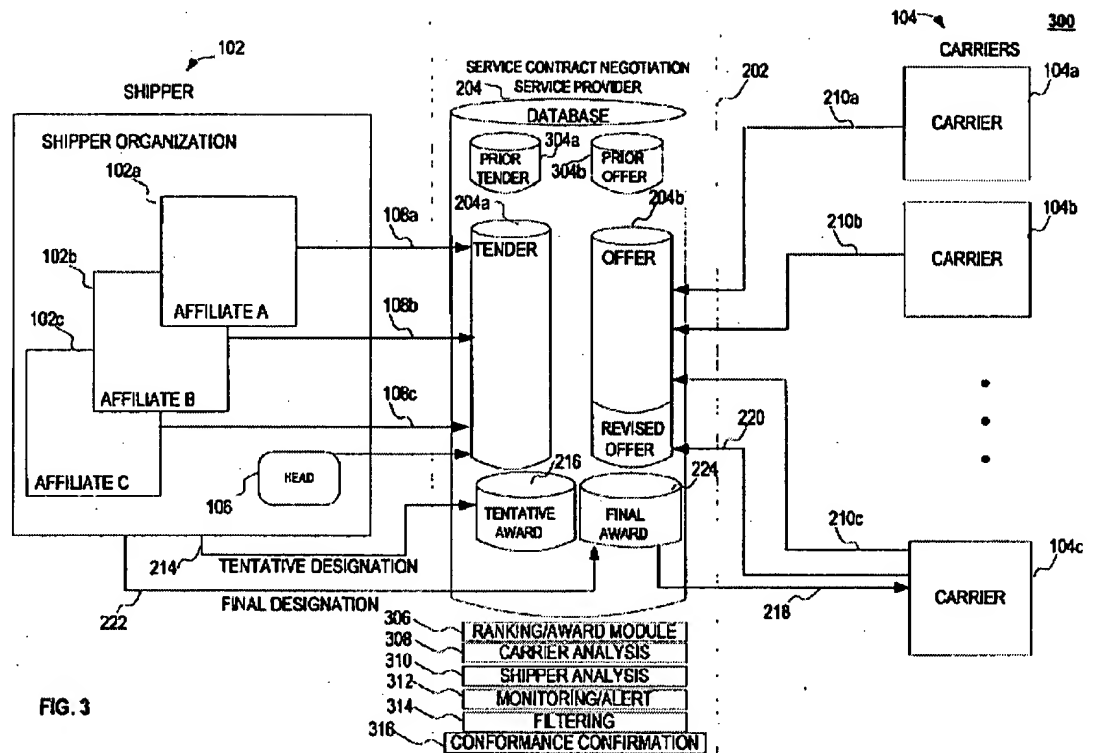
FIG. 3

FIG. 5

FIGURE 9n

FIGURE 10e

While Goldwerger et al. teach that the business-to-business marketplace for shippers and carriers enables users to communicate and evaluate each others proposals/quotations via auctions Goldwerger et al. does not expressly refer to the shipper/carrier auctions as requests for quotes/quotations (RFQs) as claimed.

Further while "bidding in rounds" is old and very well known Goldwerger et al. does not expressly teach bidding in displaying award of bids of the shipping lanes for previous rounds and current found with the option of enabling or blocking award of bids by non-winning sellers (carriers) as claimed.

Atkinson et al. teach a multiple-round auction transactions utilizing Request for Quotes (RFQs) wherein identified/preferred sellers (suppliers) are invited to participate in each auction round enabling buyers to do such things as enable or block award of bids by non-winning sellers (Paragraphs 0016, 0041-0042, 0065, 0067-0069, 0071, 0078; Figures 5-6) in an analogous art of auctions for the purposes of enabling buyers to award contracts to multiple bidders in multiple rounds (Paragraph 0067).

More generally Atkinson et al. further teach a system and method for conducting auction transactions comprising (electronic procurement, bidding in rounds, exchange marketplaces; Abstract; Paragraphs 0012-0014, 0074, 0078):
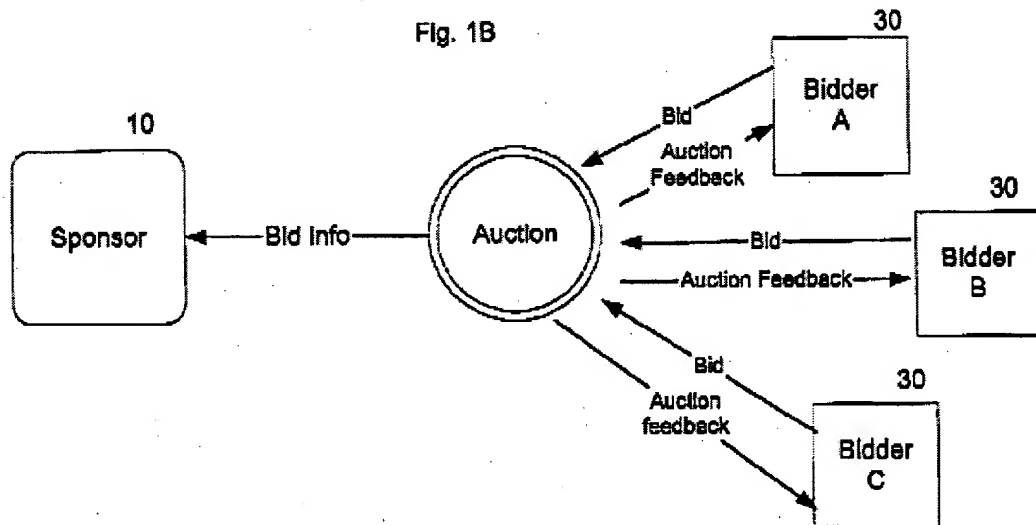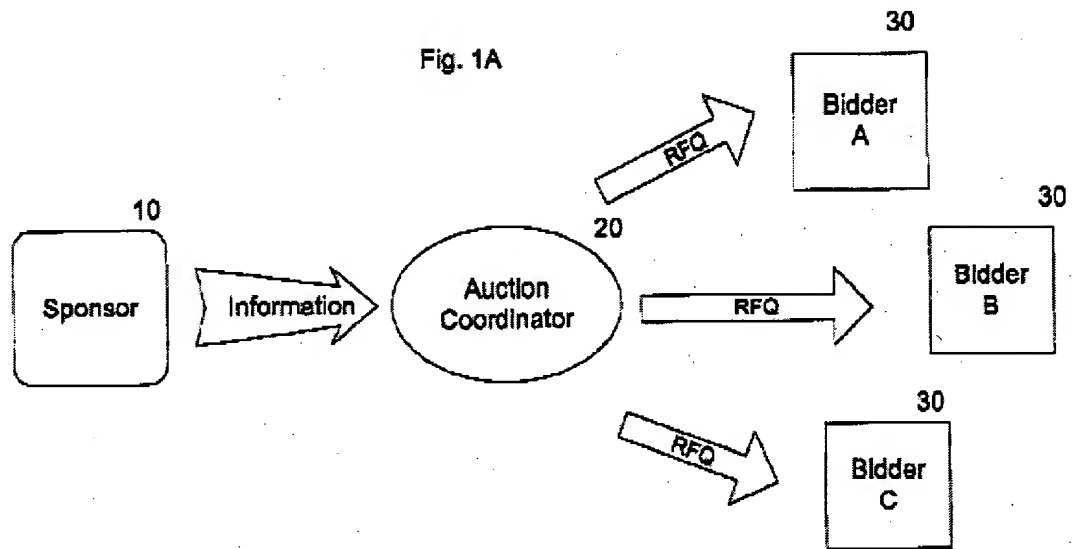
   - enabling users to publish and review (search, browse) catalogs (Paragraphs 0008, 0010);

   - supports multiple auction formats (Paragraph 0073);

- rules-based (driven) multiple level (round) auctions (Paragraphs 0013, 0017, 0069, 0072; Figures 5-6);

- enabling users to conduct multiple round reverse auctions to support such things are request for proposals (Paragraphs 0040-0042, 0074; Figures 4-5)

- enabling users to identify, review, rank (filter, sort, order bids as well as select winning bids (Paragraphs 0042, 0045, 0060-0061, 0066; Figure 5, Elements 208-218)

- terminate auctions upon the identification of a winning bid or after a specified period of time (Paragraph 0066);

- enabling users to designate (select, choose, identify, etc.) other users (buyers, sellers, etc.) as preferred trading partners (users) wherein selected/particular quote rates and/or auctions can be optionally made available only to the preferred/selected trading partners (users, i.e. preferred trading partners/preferred catalog customers are provided with preferential access to one or more transaction catalogs, e.g. discounted shipping rates, specific auctions, etc.; "In another example, a large base of suppliers, which may be, for example, two hundred suppliers, would create a cumbersome electronic auction if all two hundred suppliers participated in that auction. Thus, it may be beneficial to have a simplified round of bidding following which only the best ranked bidders are allowed to move on to an interactive auction. In this example the two hundred bidders may submit bids in an offline auction round. The top bidders may then be allowed to participate in a second, online auction round. Thus, for example, the top ten percent, or twenty bidders in the example provided, in the first round auction may be

permitted to participate in the second online auction round.", Paragraph 0074;

Paragraphs 0066-0068; Figures 5-6).

Fig. 1A

Fig. 1B

200

Prepare RFQ
202

↓

Provide RFQ to Potential Bidders
204

↓

Potential Bidders Respond to RFQ
206

↓

Form a Rule that a Bidder may not Participate in a Subsequent Round of Bidding if that Bidder has been Awarded a Contract in a Preceding Round.
208

↓

Conduct an Auction Round
210

↓

Award Contract
212

↓

Apply the Rule to the Outcome of the Round to determine Participation in a Subsequent Round
214

↓

Determine Whether an Additional Round of Bidding should be Conducted
216

No → End

Yes

Fig. 5

300

Prepare RFQ
302

Provide RFQ to Potential Bidders
304

Potential Bidders Respond to RFQ
306

Form a Rule that a Bidder may not Participate in a Subsequent Round of Bidding unless that Bidder is ranked in the top three bidders in a Preceding Auction Round.
308

Conduct an Auction Round
310

Apply the Rule to the Outcome of the Round to Determine Participation in a Subsequent Round
314

Yes

End ◄─No─ Determine Whether an Additional Round of Bidding should be Conducted
316
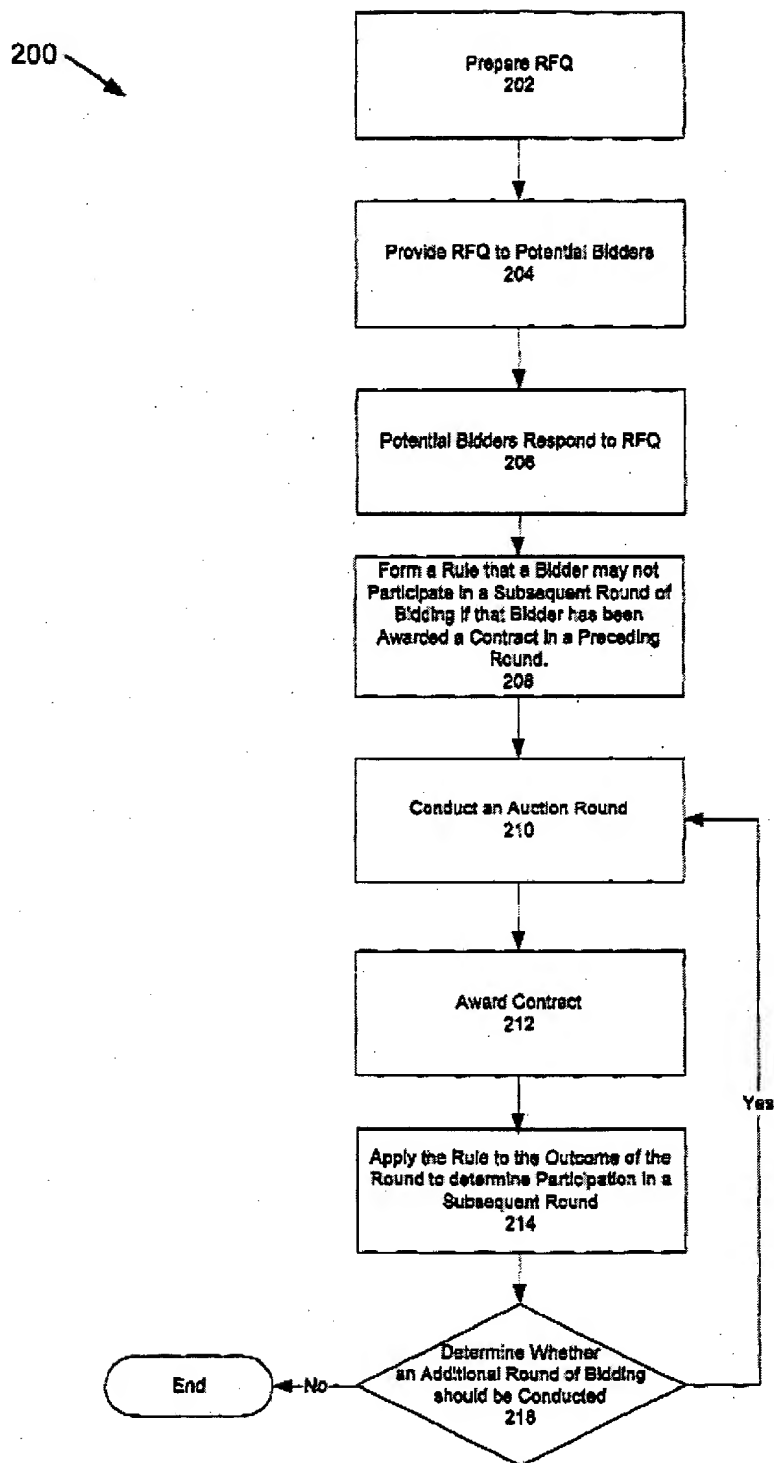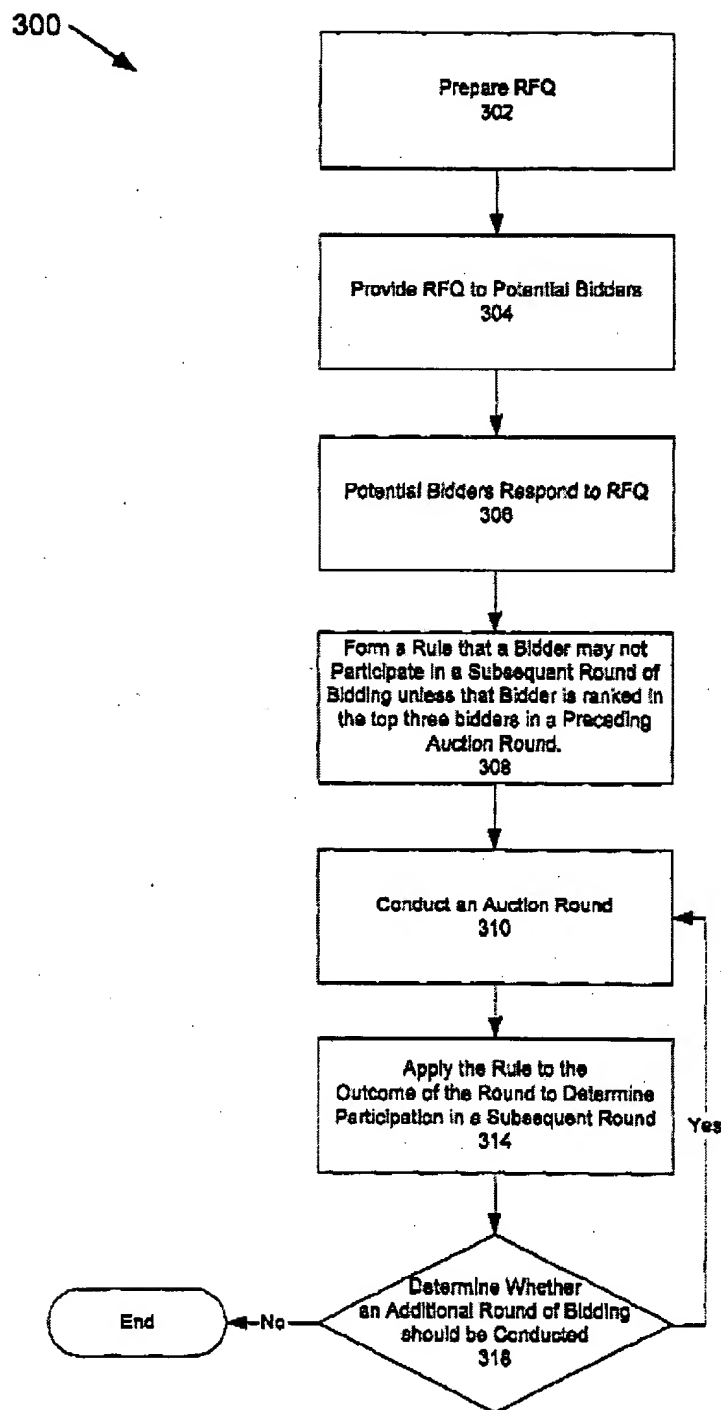
Fig. 6

It would have been obvious to one skilled in the art at the time of the invention that the system and method for conducting auction transactions for shipping services as taught by Goldwerger et al. would have benefited from conducting multi-round auctions utilizing requests for quotes (reverse auction) in view of the teachings of Atkinson et al.; the resultant system/method enabling buyers to award contracts to multiple bidders in multiple rounds (Atkinson et al.: Paragraph 0067).

Neither Goldwerger et al. nor Atkinson et al. expressly teach that the RFQ information includes accessorial changers for services wherein the accessorial charges are linked to shipping lanes to consolidate bidding during auction as claimed.

Caplice teaches a system and method for conducting auction transactions for shipping services wherein the auctions transactions include a plurality of well known and widely used parameters (data elements) including but not limited to accessorial changers for services wherein the accessorial charges are linked to shipping lanes to consolidate bidding during auction (Pages 20, 86-87) in an analogous art of auctioning transportation services for the purposes of optimizing the selection and assignment of carriers to transportation lanes by accounting for supplier (carrier) specific costs (economics; Paragraphs 2-3, Pages 20, 29-31).

More generally Caplice teaches a system and method for conducting auction transactions for shipping services (lanes; Abstract; Section 1.3.1 Procurement Model, Pages 30-31; Paragraphs 1-2 and 4-5, Page 73; Electronic Markets, Pages 73-75;

Chapter 4 Auction Design for TL Bids, Page 93; Section 4.2 Fundamental Auction

Concepts, Page 96; Sequential Auctions, Pages 114-115; Simultaneous Auctions, Page

115; Section 4.3.3 Number of Rounds: Single vs. Multiple, Pages 123-125; Chapter 6

Carrier Assignment Problem, Page 197; Section 6.4.4 Multiple Round Auctions, Pages

229-230; Figures Figure 1.5, 5.17; 6.1; Tables 4.4-4.6, 4.10):

- enabling users (buyers, sellers) to conduct auctions (buyer/seller auctions) for

one or more transportation lanes/capacity wherein the auction initiator receives one or

more bids (bids on the right to perform services, contract; Paragraphs 1-2, page 93;

Figures 4.3-4.6; Tables 4.4-4.6), filters (sorts, ranks, orders, etc.; Paragraph 1, Page

118; Paragraphs 1-2, Page 213) the one or more bids for review, identifies (selects,

chooses, etc.) winning bids based on the review, conditionally award one or more

transportation lanes to winning bidders (conditional, combinatorial bids, bid re-

negotiation; Pages 122, 128), and enables users, receiving an transportation lane

award (winning bid, contract, etc.), to review, accept or reject the award (recall bid, bid

withdrawal, re-negotiation, etc.; Paragraph 1, Page 127; Paragraphs 1-3, Page 128;

Last Paragraph, Page 152);

- enabling sellers to post quoted rates (i.e. transaction catalogs, catalog) for the

one or more transportation lanes that buyers may review quoted transportation lane

rates (Electronic Markets, Pages 73-75);

- enabling buyers and sellers to communication with the system/subsystems

comprising an electronic data interchange system (Last Paragraph, Page 30;

Paragraphs 2, 4, Page 32);

- enabling buyers and sellers to interact through the system (Electronic Markets, Pages 73-75);

- enabling users to designate (select, choose, identify, etc.) other users (buyers, sellers, etc.) as preferred trading partners (users) wherein selected/particular quote rates and/or auctions can be optionally made available only to the preferred/selected trading partners (users, i.e. preferred trading partners/preferred catalog customers are provided with preferential access to one or more transaction catalogs, e.g. discounted shipping rates, specific auctions, etc.; carrier screening/selection; Paragraphs 4-5, Page 29; Last Paragraph, Page 30; Paragraphs 1-5, Page 31; Electronic Markets, Pages 73-75; Figure 1.5).

It would have been obvious to one skilled in the art at the time of the invention that the system and method for conducting auction transactions for shipping services as taught by the combination of Goldwerger et al. and Atkinson et al. would have benefited from including a plurality of parameters (costs, operational factors, strategic factors, etc.) in view of the teachings of Caplice; the resultant system/method enabling users to optimize the selection and assignment of carriers to transportation lanes (Pages 101-102).

Further it is noted that the various request for quote information (data elements, compilation of data) merely represent non-functional descriptive material and are not functionally involved in the steps recited nor do they alter the recited structural

elements. The recited method steps would be performed the same regardless of the

specific request for quote information/data displayed. Further, the structural elements

remain the same regardless of the specific request for quote information/data displayed.

Thus, this descriptive material will not distinguish the claimed invention from the prior art

in terms of patentability, see In re Gulack, 703 F.2d 1381, 1385, 217 USPQ 401, 404

(Fed. Cir. 1983); In re Lowry, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994); MPEP §

2106.

Regarding Claims 104-105, 113-114, 120-121 and 123-124 Goldwerger et al.

teach system and method for conducting auction transactions for shipping services

wherein the shipping lane (trade route) information includes origin, destination, miles,

type, market demand, number of bids, capacity and price (Paragraphs 0007, 0010,

0047, 0058, 007, 0083, 0100, 0108; Figures 9h-9i, 10b).

It is noted that the shipping lane information merely represent non-functional

descriptive material and are not functionally involved in the steps recited nor do they

alter the recited structural elements. The recited method steps would be performed the

same regardless of the shipping lane information/data displayed. Further, the structural

elements remain the same regardless of the shipping lane information/data displayed.

Thus, this descriptive material will not distinguish the claimed invention from the prior art

in terms of patentability, see In re Gulack, 703 F.2d 1381, 1385, 217 USPQ 401, 404

(Fed. Cir. 1983); In re Lowry, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994); MPEP §

2106.

Regarding Claims 106, 115 and 125 Goldwerger et al. teach system and method

for conducting auction transactions for shipping services wherein the buyer (shipper)

accepts or declines a seller (carrier) bid (award; Paragraphs 0089, 0091, 0109, 0117,

0121; Figure 10g, 10j, 12e).

Regarding Claims 107, 116 and 126 Goldwerger et al. teach system and method

for conducting auction transactions for shipping services wherein the over the road

information includes total bid, capacity of carrier, award capacity, total award level,

accepted and transit days (Paragraphs 0007, 0010, 0047, 0058, 007, 0083, 0100, 0108;

Figures 9h-9i, 10b).

Neither Goldwerger et al. nor Atkinson et al. expressly teach that the over the

road information includes minimum charge, rate per mile, total bid, capacity of carrier,

surge capacity, award capacity, total capacity, award level, accepted and transit days.

Caplice teaches a system and method for conducting auction transactions for

shipping services wherein the auctions transactions include a plurality of well known

and widely used parameters (data elements) including minimum charge, rate per mile,

total bid, capacity of carrier, surge capacity, award capacity, total capacity, award level,

accepted and transit days (Pages 18-20,198-199, 201, 207-208) in an analogous art of

auctioning transportation services for the purposes of optimizing the selection and

assignment of carriers to transportation lanes by accounting for supplier (carrier)

specific costs (economics; Paragraphs 2-3, Pages 20, 29-31).

It would have been obvious to one skilled in the art at the time of the invention

that the system and method for conducting auction transactions for shipping services as

taught by Goldwerger et al. would have benefited from including a plurality of shipping

requirements/quote/contract parameters (elements) including minimum charge, rate per

mile, total bid, capacity of carrier, surge capacity, award capacity, total capacity, award

level, accepted and transit days in view of the teachings of Caplice; the resultant

system/method enabling users to optimally select and assign to transportation lanes by

accounting for carrier specific costs/ economics (Caplice: Paragraphs 2-3, Pages 20,

29-31).

Further it is noted that the over the road information (compilation of data) merely

represent non-functional descriptive material and are not functionally involved in the

steps recited nor do they alter the recited structural elements. The recited method steps

would be performed the same regardless of the over the road information/data

displayed. Further, the structural elements remain the same regardless of the over the

road information/data displayed. Thus, this descriptive material will not distinguish the

claimed invention from the prior art in terms of patentability, see In re Gulack, 703 F.2d

1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); In re Lowry, 32 F.3d 1579, 32

USPQ2d 1031 (Fed. Cir. 1994); MPEP § 2106.

Regarding Claims 108, 118 and 128 Goldwerger et al. teach system and method

for conducting auction transactions for shipping services wherein the award of bids

includes shipping lane identifier, load, bid and price (Paragraphs 0007, 0010, 0047,

0058, 007, 0083, 0100, 0108; Figures 9h-9i, 10b).

It is noted that the award of bids information (data elements) merely represent

non-functional descriptive material and are not functionally involved in the steps recited

nor do they alter the recited structural elements. The recited method steps would be

performed the same regardless of the award of bids information/data displayed. Further,

the structural elements remain the same regardless of the award of bids

information/data displayed. Thus, this descriptive material will not distinguish the

claimed invention from the prior art in terms of patentability, see In re Gulack, 703 F.2d

1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); In re Lowry, 32 F.3d 1579, 32

USPQ2d 1031 (Fed. Cir. 1994); MPEP § 2106.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Ye, Jian, U.S. Patent No. 6,321,207, teaches a system and method for conducting auction transactions for shipping services using multi-round auctions to optimally allocate and assign shipping lanes via a plurality of screens (graphical user interface).

- Gindlesperger, William, U.S. Patent No. 6,397,197, teaches a system and method for conduction auction transactions utilizing request for quotes, request for proposals and or invitations for bid wherein selected users are invited to bid.

- Kinney et al., U.S. Patent No. 7,010,511, teach a system and method for conducting auction transactions comprising request for quotes/quotations, bid/RFQ invitations, bid comparison and a plurality of screens.

- Hnat, Jeffery, U.S. Patent Publication No. 2001/0025268, teach a system and method for conducting auction transactions for shipping services (shipping routes/lanes).

- Tulloch et al., U.S. Patent Publication No. 2001/0032167, teach a system and method for conduction multi-round auction transactions utilizing request for quotes/quotation.

- De La Motte et al., U.S. Patent Publication No. 2003/0014318, teach a system and method for conduction purchase transactions utilizing request for quotes with select sellers.

- Kinney et al., WO 01/54040 A1, teaches a system and method for conducting auction transactions comprising request for quotes, selected/authorized bidder list and a plurality of screens (graphical user interface).

- Lord, John Brian, An Empirical Examination of the Motor Carrier Selection Process in the Electronics and Household Goods Industry (1985) teaches well-known criteria (data elements) utilized in selecting carriers.

- UTC uses Net-based auction to help craft an optimal supply base (1998) teaches a system and method for conduction auction transactions comprising request for quotes, supplier bidding and supplier screening.

- Kumar et al., Internet Auctions (1998), teaches a plurality of well known and widely used systems and methods for conduction auction transactions including multi-round auctions, auction participant selection/invitation, auction states, buyer/seller states and auction rules.

- Atkinson, Helen, Shippers buy transport tickets at auction, teaches the well-known utilization of online systems for conduction auction transactions for shipping services.

- Stamper, John, Lexington KY, Internet Start-Up Helps Streamline Costs for Shipping Industry (1999), teaches the commercial availability of a system and method for conducting auctions for shipping services utilizing "digital request for quotation."

- Armbruster, William, Internet booking service planned (1999), teaches a system and method for conducting auction transactions for shipping transactions ("quote market').

- Roberts, Bill, The Supply Chain Simplified via the Web (1999), teaches a system and method for automating the sourcing of goods/services over the Internet including the management of request for quotes

- Cerplex Releases Enhanced Version of the PartSmart Network (1999), teaches a system and method for purchasing/sourcing of goods/services via a plurality of screens (Internet pages) including request for quote support.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott L. Jarrett whose telephone number is (571) 272-7033. The examiner can normally be reached on Monday-Friday, 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hafiz Tariq can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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SJ
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